

and maintenance of the national standards for carbon monoxide in the Metropolitan Indianapolis Intrastate Region by May 31, 1975.

(b) On December 21, 1999, the Indiana Department of Environmental Management submitted carbon monoxide maintenance plans for those portions of Lake and Marion Counties which they requested the Environmental Protection Agency redesignate to attainment of the carbon monoxide national ambient air quality standard.

[38 FR 16565, June 22, 1973, as amended at 51 FR 40676, Nov. 7, 1986; 65 FR 2888, Jan. 19, 2000]

§ 52.786 Inspection and maintenance program.

(a) Definitions:

(1) *Inspection and maintenance program* means a program to reduce emissions from in-use vehicles through identifying vehicles that need emission control related maintenance and requiring that such maintenance be performed.

(2) *Light-duty vehicle* means a motor vehicle rated at 6,000 lb. GVW (gross vehicle weight) or less.

(3) All other terms used in this section that are defined in part 51, subpart G of this chapter, are used herein with the meanings so defined.

(b) This regulation is applicable in the County of Marion, Indiana (including all cities, towns and municipal corporations therein).

(c) The State of Indiana shall establish and cause the implementation of an inspection and maintenance program applicable to all gasoline-powered light duty vehicles which are registered in Marion County. Such program shall conform with this § 52.786. The Consolidated City of Indianapolis, the County of Marion, and other municipalities within the County of Marion, shall take all legislative, executive, or other action necessary to establish and implement the program required by this regulation.

(d) Not later than April 1, 1975, the State of Indiana, the County of Marion and the Consolidated City of Indianapolis shall jointly submit to the Administrator, for his approval, legally adopted legislation and/or regulations establishing the regulatory scheme for

the inspection/maintenance program required by paragraph (c) of this section. The legislation and/or regulations shall include:

(1) Provisions requiring inspection of all light-duty motor vehicles subject to the inspection program required by paragraph (c) of this section at periodic intervals no more than 1 year apart by means of an idle test. Any class or category of vehicles that are found to be rarely used on public streets and highways (such as classic or antique vehicles) may be exempted.

(2) Provisions for regulatory criteria that are consistent with achieving an 11 percent reduction of hydrocarbon emissions from light-duty vehicles.

(3) Provisions ensuring that failed vehicles receive, within 30 days, the maintenance necessary to achieve compliance with the inspection standards. These provisions shall impose sanctions against owners of non-complying vehicles, require retest of failed vehicles following maintenance, require a suitable distinctive tag or sticker for display on complying vehicles, and include such other measures as are necessary or appropriate.

(4) Provisions establishing a certification program to ensure that testing stations performing the required tests have the necessary equipment and knowledgeable operators to perform the tests satisfactorily, imposing sanctions against non-complying testing stations, and containing such other measures as necessary or appropriate to a testing program.

(5) Provisions prohibiting vehicles from being intentionally readjusted or modified subsequent to the inspection and/or maintenance in such a way as would cause them no longer to comply with the inspection standards. These may include authorization of spot checks of idle adjustments or of a suitable type of physical seal or tag on vehicles. These provisions shall include appropriate penalties for violation by any person.

(6) Designation of agency or agencies responsible for conducting, overseeing, and enforcing the inspection/maintenance program. Private parties may be designated to conduct parts of the program to certify compliance.

(e) After July 1, 1976, the State of Indiana, County of Marion, the Consolidated City of Indianapolis, and other municipalities in Marion County shall not allow the operation on streets, roads, or highways under their ownership or control of any light duty motor vehicle subject to the inspection program established pursuant to paragraph (c) of this section that does not comply with the applicable standards and procedures adopted in accordance with paragraph (d) of this section.

(f) After July 1, 1976, no person shall operate or allow the operation of any motor vehicle subject to the inspection program established pursuant to paragraph (c) of this section that does not comply with the applicable standards and procedures adopted in accordance with paragraph (d) of this section.

(g) No later than October 1, 1974, the State of Indiana, County of Marion, and the Consolidated City of Indianapolis shall jointly submit to the Administrator, for his approval, a detailed compliance schedule showing the steps they will take to establish, operate and enforce the inspection program required by paragraph (c) of this section including:

(1) A detailed description of the inspection program required by paragraph (c) of this section (including a description of the way in which the program will be established, operated, and enforced and the respective responsibilities of the State, county, and municipalities for such tasks).

(2) A description of the legal authority for establishing and enforcing the inspection/maintenance program, including the text of proposed or adopted legislation and regulations.

(3) Specific dates (day, month, and year) by which various steps to implement the inspection/maintenance system will be completed, such steps to include, at a minimum, the following: submitting final plans and specifications for the system to the Administrator for this approval (this date to be no later than February 1, 1975), ordering necessary equipment (this date to be no later than April 15, 1975), commencement of onsite construction and/or installation, and system operational (this date to be no later than April 15, 1975, commencement of onsite con-

struction and/or installation, and system operational (this date to be no later than July 1, 1975).

(4) An identification of the sources and amounts of funds necessary to implement the system together with written assurances from the chief executive officers of the State, city, and county that they will seek such necessary funding from the appropriate legislative bodies.

(5) Other provisions necessary or appropriate to carry out the program.

(h) The State's December 2, 1992, commitment to timely adopt and implement enhanced inspection and maintenance (I/M) rules for Lake and Porter Counties is disapproved based on the failure of the State of Indiana to meet important milestones pertaining to the development and adoption of necessary authority for the I/M program. This disapproval initiates the sanction process of section 179(a) of the Act.

[39 FR 12348, Apr. 5, 1974, as amended at 46 FR 38, Jan. 2, 1981; 51 FR 40677, Nov. 7, 1986; 55 FR 31052, July 31, 1990; 58 FR 62535, Nov. 29, 1993]

§ 52.787 Gasoline transfer vapor control.

(a) *Gasoline* means any petroleum distillate having a Reid vapor pressure of 4 pounds or greater.

(b) This section is applicable in the County of Marion, Indiana (including all cities, towns and municipal corporations therein).

(c) No person shall transfer or permit the transfer of gasoline from any delivery vessel into any stationary source container with a capacity greater than 250 gallons unless such container is equipped with a submerged fill pipe and unless the displaced vapors from the storage container are processed by a control system that prevents release to the atmosphere of no less than 90 percent by weight of organic compounds in said vapors displaced from the stationary storage container location. The control system shall include one or more of the following:

(1) A vapor-tight return line from the storage container to the delivery vessel and a system that will ensure that the vapor return line is connected before gasoline can be transferred into the